

# **EXHIBIT A**

CAUSE NO. **2017CI10535**

**JOHN OCHOA AND  
ROSE ELIZARDO-OCHOA  
PLAINTIFFS**

VS.

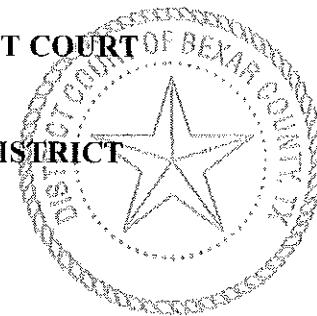
**P.A.M. TRANSPORT, INC., P.A.M.  
LOGISTICS SERVICES, INC., P.A.M.  
TRANSPORTATION SERVICES, INC.,  
P.A.M. TRANSPORT CORP., AND  
ADEN KARIYE A/K/A ADEN MOHAMED  
DEFENDANTS**

**IN THE DISTRICT COURT**

**407**

**JUDICIAL DISTRICT**

**BEXAR COUNTY, TEXAS**



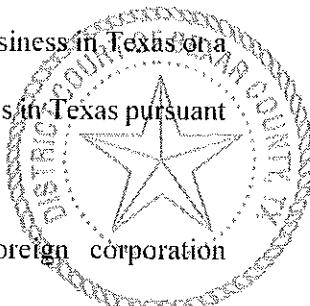
**PLAINTIFF'S ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME, JOHN OCHOA AND ROSE ELIZARDO-OCHOA, Plaintiffs herein, and complains of P.A.M. TRANSPORT, INC., P.A.M. LOGISTICS SERVICES, INC., P.A.M. TRANSPORTATION SERVICES, INC., P.A.M. TRANSPORT CORP. and ADEN KARIYE A/K/A ADEN MOHAMED, (hereinafter sometimes referred to collectively as "Defendants"), and for cause of action would respectfully show unto the Court as follows:

1. Discovery shall be conducted according to TRCP Section 193.4 (Level 3) discovery control plan.
2. Plaintiff, JOHN OCHOA, is an individual residing in Bexar County, Texas.
3. Plaintiff, ROSE ELIZARDO-OCHOA, is an individual residing in Bexar County, Texas.
4. Defendant, P.A.M. TRANSPORT, INC. is a foreign corporation organized and existing under the laws of the state of Arkansas whose registered agent, Daniel Cushman, and registered address for service of process is located Highway 412 West, Tontitown, Arkansas 72770, and may be served with process in accordance with the Texas long-arm statute by serving the Texas

Secretary of State at 1019 Brazos Street, Austin, Texas 78701, as its agent for service because defendant engages in business in Texas but does not maintain a regular place of business in Texas or a designated agent for service of process, and this suit arose from defendant's business in Texas pursuant to Tex. Civ. Prac. & Rem. Code §§ 17.044(b), 17.045.



5. Defendant, P.A.M. LOGISTICS SERVICES, INC. is a foreign corporation organized and existing under the laws of the state of Arkansas whose registered agent, Daniel Cushman, and registered address for service of process is located Highway 412 West, Tontitown, Arkansas 72770, and may be served with process in accordance with the Texas long-arm statute by serving the Texas Secretary of State at 1019 Brazos Street, Austin, Texas 78701, as its agent for service because defendant engages in business in Texas but does not maintain a regular place of business in Texas or a designated agent for service of process, and this suit arose from defendant's business in Texas pursuant to Tex. Civ. Prac. & Rem. Code §§ 17.044(b), 17.045.

1. Defendant, P.A.M. TRANSPORTATION SERVICES, INC. is a foreign corporation organized and existing under the laws of the state of Arkansas whose registered agent, Daniel Cushman, and registered address for service of process is located Highway 412 West, Tontitown, Arkansas 72770, and may be served with process in accordance with the Texas long-arm statute by serving the Texas Secretary of State at 1019 Brazos Street, Austin, Texas 78701, as its agent for service because defendant engages in business in Texas but does not maintain a regular place of business in Texas or a designated agent for service of process, and this suit arose from defendant's business in Texas pursuant to Tex. Civ. Prac. & Rem. Code §§ 17.044(b), 17.045.

2. Defendant, P.A.M. TRANSPORT CORP. is a corporation that doing business in the State of Texas at all times relevant and material to this lawsuit. Defendant, P.A.M. Transport Corp. may be served with process by service upon its registered agent, Luis Nunez, at its registered

address for service of process, 9487 Landry McKee Lane, El Paso, Texas 79907-3451, by personal service.

3. Defendant, ADEN KARIYE A/K/A ADEN MOHAMED, is an individual residing in Mechanicsburg, Cumberland County, Pennsylvania, and may be served with citation by serving him at his place of residence located at 5231 Simpson Ferry Rd., Mechanicsburg, PA. 17050, or wherever he may be located.

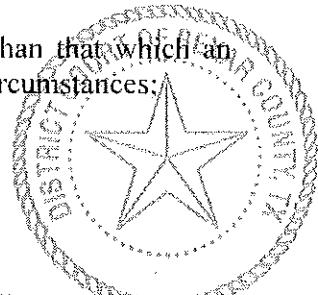
4. Venue is proper in Bexar County pursuant to §15.002(a)(1) Texas Civil Practice and Remedies Code as all or a substantial part of the events giving rise to the claim occurred in Bexar County. Pursuant to §15.005 Texas Civil Practice and Remedies Code, as proper venue has been established against one defendant, the Court has venue of all defendants.

5. On or about March 8, 2016, Defendant ADEN KARIYE A/K/A ADEN MOHAMED, while driving an 18 wheeler owned/operated by Defendant P.A.M. Transport, INC., was traveling north on IH 35 in Bexar County, Texas, when he crashed into Plaintiffs' vehicle and caused them severe injuries and damages.

6. Defendant ADEN KARIYE A/K/A ADEN MOHAMED was negligent in many ways, including failing to act as a driver exercising ordinarily prudent care would have done under the same or similar circumstances by choosing to violate rules, requirements, regulations, standards, and laws for the provision of safe driving on our roadways as follows:

- a. failing to keep a proper lookout or such lookout, which a person of ordinary prudence would have maintained under same or similar circumstances;
- b. failing to timely apply the brakes of the vehicle in order to avoid the collision in question;
- c. failing to turn the vehicle in an effort to avoid the collision in question;
- d. failing to maintain a safe speed;

- e. failing to yield the right of way to Plaintiff;
- f. in driving the vehicle at a rate of speed which was greater than that which an ordinary person would have driven under the same or similar circumstances;
- g. failing to obey a traffic control device; and
- h. failing to maintain an assured clear distance.



7. Defendant ADEN KARIYE A/K/A ADEN MOHAMED's negligence amounts to negligence *per se* because his negligence included violating laws, including the Texas Transportation Code as follows:

Violation of Tex. Trans. Code §545.351(a)(1)-(2) – An operator may not drive at a speed greater than is reasonable and prudent under the circumstances then existing and shall control the speed of the vehicle as necessary to avoid colliding with another person or vehicle that is on or entering the highway in compliance with law and the duty of each person to use due care.

Violation of Tex. Trans. Code § Sec. 545.152. Vehicle Turning Left.

To turn left at an intersection or into an alley or private road or driveway, an operator shall yield the right-of-way to a vehicle that is approaching from the opposite direction and that is in the intersection or in such proximity to the intersection as to be an immediate hazard.

Violation of Tex. Trans. Code § Sec. 544.007. Traffic-Control Signals In General.

(b) An operator of a vehicle facing a circular green signal may proceed straight or turn right or left unless a sign prohibits the turn. The operator shall yield the right-of-way to other vehicles and to pedestrians lawfully in the intersection or an adjacent crosswalk when the signal is exhibited.

(c) An operator of a vehicle facing a green arrow signal, displayed alone or with another signal, may cautiously enter the intersection to move in the direction permitted by the arrow or other indication shown simultaneously. The operator shall yield the right-of-way to a pedestrian lawfully in an adjacent crosswalk and other traffic lawfully using the intersection.

8. Defendants P.A.M. TRANSPORT, INC., P.A.M. LOGISTICS SERVICES, INC., P.A.M. TRANSPORTATION SERVICES, INC., and P.A.M. TRANSPORT CORP. are liable under the theory of respondeat superior in that Defendant ADEN KARIYE A/K/A ADEN MOHAMED was acting within the course and scope of his employment with Defendants P.A.M.

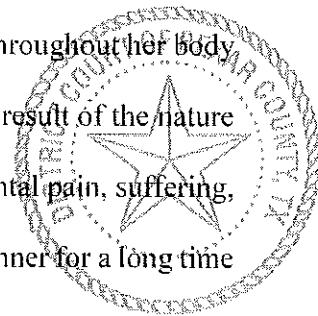
TRANSPORT, INC., P.A.M. LOGISTICS SERVICES, INC., P.A.M. TRANSPORTATION SERVICES, INC., and P.A.M. TRANSPORT CORP. at the time the incident occurred. Also, Defendants P.A.M. TRANSPORT, INC., P.A.M. LOGISTICS SERVICES, INC., P.A.M. TRANSPORTATION SERVICES, INC., and P.A.M. TRANSPORT CORP. are directly negligent in many ways, including failing to act as a corporation exercising ordinarily prudent care would have done under the same or similar circumstances by choosing to violate rules, requirements, regulations, standards, and laws for the provision of safe driving and drivers on our roadways as follows:

- a. failing to hire qualified drivers;
- b. failing to entrust vehicles to qualified drivers; and
- c. failing to properly train, monitor, and supervise its drivers to be safe.

9. Defendants were grossly negligent to the extent that the law allows the imposition of exemplary/punitive damages. Defendants' conduct involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Plaintiff. Defendants' gross negligence was a proximate cause of Plaintiff's injuries alleged herein. In addition, Defendants P.A.M. TRANSPORT, INC., P.A.M. LOGISTICS SERVICES, INC., P.A.M. TRANSPORTATION SERVICES, INC., and P.A.M. TRANSPORT CORP. are responsible for the gross negligence of Defendant ADEN KARIYE A/K/A ADEN MOHAMED.

10. As a direct and proximate result of the collision and the negligent conduct of Defendants, Plaintiffs suffered severe bodily injuries. The injuries have had a serious effect on the Plaintiffs' health and well-being. Some of the effects are permanent and will abide with the Plaintiffs for a long time into the future, if not for the entire life. These specific injuries and their ill effects have, in turn, caused the Plaintiffs' physical and mental condition to deteriorate generally

and the specific injuries and ill effects alleged have caused and will, in all reasonable probability, cause the Plaintiffs to suffer consequences and ill effects of this deterioration throughout her body for a long time into the future, if not for the balance of their natural life. As a result of the nature and consequences of her injuries, the Plaintiffs suffered great physical and mental pain, suffering, and anguish, and in all reasonable probability, will continue to suffer in this manner for a long time into the future, if not for the balance of their natural life.



11. By reason of all of the above, Plaintiffs have suffered losses and damages in a sum within the jurisdictional limits of this Court, and for which they now sue.

12. The conduct of Defendants has proximately caused damages far in excess of the minimum jurisdictional limits of this Court, including the following:

- a. Physical pain and mental suffering in the past;
- b. Physical pain and mental suffering in the future;
- c. Loss of earning capacity in the past;
- d. Loss of earning capacity in the future;
- e. Past medical care expenses;
- f. Future medical care expenses;
- g. Physical impairment in the past;
- h. Physical impairment in the future;
- i. Physical disfigurement in the past;
- j. Physical disfigurement in the future; and
- k. Exemplary/punitive damages.

13. Plaintiffs further request both pre-judgment and post-judgment interest on all of her damages as allowed by law.

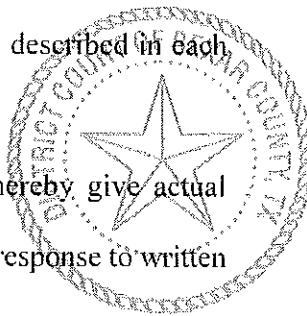
14. Pursuant to Rule 194, Texas Rules of Civil Procedure, Defendants are requested to disclose, within fifty (50) days of service hereof, the information and material described in each section of Rule 194.2 of the Texas Rules of Civil Procedure.

15. Pursuant to Texas Rule of Civil Procedure 193.7, Plaintiffs hereby give actual notice to Defendants that any and all documents produced by any Defendant in response to written discovery may be used against any and all Defendants producing the documents at any pre-trial proceeding and/or at the trial of this matter, without the necessity of authenticating the documents.

16. Plaintiff demands a jury trial. The required jury fee has been paid.

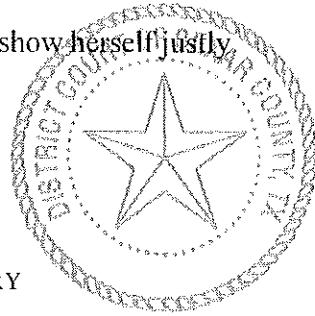
**WHEREFORE**, Plaintiffs respectfully pray that the Defendants be cited to appear and answer herein, and that upon final trial that Plaintiff have and recover judgment against Defendants, jointly and severally, for the following:

- a. Physical pain and mental suffering in the past;
- b. Physical pain and mental suffering in the future;
- c. Loss of earning capacity in the past;
- d. Loss of earning capacity in the future;
- e. Past medical care expenses;
- f. Future medical care expenses;
- g. Physical impairment in the past;
- h. Physical impairment in the future;
- i. Physical disfigurement in the past;
- j. Physical disfigurement in the future;
- k. Pre-judgment interest;
- l. Post-judgment interest;



- m. Costs of court; and
- n. Such other and further relief of any kind to which Plaintiff may show herself justly entitled.

Respectfully submitted,



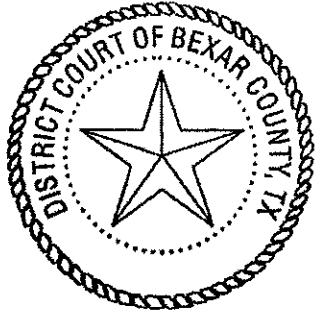
LAW OFFICES OF THOMAS J. HENRY  
521 Starr Street  
Corpus Christi, Texas 78401  
Tel. (361) 985-0600  
Fax. (361) 985-0601

By: /s/James Martin

Thomas J. Henry  
State Bar No. 09484210  
James F. Martin  
State Bar No. 13077700  
\*Email: [jmartin@tjhlaw.com](mailto:jmartin@tjhlaw.com)

\*E-service to this address only

CERTIFIED COPY CERTIFICATE STATE OF TEXAS  
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT  
CLERK, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
RECORD NOW IN MY LAWFUL CUSTODY. WITNESS  
MY OFFICIAL HAND AND SEAL OF OFFICE ON THIS:



*August 14, 2017*

**DONNA KAY MCKINNEY  
BEXAR COUNTY, TEXAS**

By: Roxanne Araiza

ROXANNE ARAIZA, Deputy District Clerk

*(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)*

8/1/2017 10:11 AM

Donna Kay McKinney

Bexar County District Clerk

Accepted By: Isaias Ibarra

**AFFIDAVIT OF SERVICE****State of Texas****County of Bexar****407th District Court**

Case Number: 2017-CI-10535

Plaintiff:

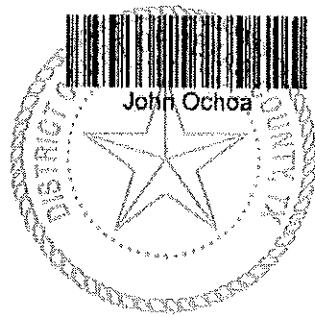
**JOHN OCHOA AND ROSE ELIZARDO-OCHOA**

vs.

Defendant:

**P.A.M. TRANSPORT INC, P.A.M. LOGISTICS SERVICES INC, P.A.M. TRANSPORTATION SERVICES INC, P.A.M. TRANSPORT CORP., AND ADEN KARIYE AKA ADEN MOHAMED**

For:

James F Martin  
Law Office Of Thomas J Henry  
521 Starr Street  
Corpus Christi, TX 78401

Received by Allen Civil Process on the 27th day of July, 2017 at 1:53 pm to be served on P.A.M. Transport Inc by delivering to Texas Secretary Of State, 1019 Brazos, Austin, Travis County, TX 78701.

I, Dane R. Cuppett, being duly sworn, depose and say that on the 28th day of July, 2017 at 2:15 pm, I:

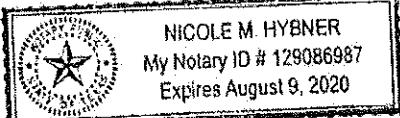
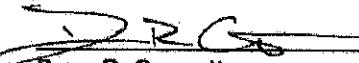
served a **GOVERNMENT AGENCY** by delivering a true copy of the **Two Copies of Citation and Plaintiffs Original Petition and Request For Disclosure and \$55.00 Check For Secretary Of State** with the date and hour of service endorsed thereon by me, to: **Venita Moss, Office of the Texas Secretary Of State as Authorized Agent for P.A.M. Transport Inc by delivering to Texas Secretary Of State**, and informed said person of the contents therein, in compliance with State Statutes.

**Description of Person Served:** Age: 50, Sex: F, Race/Skin Color: AfricanAmerica, Height: 5'8", Weight: 250, Hair: Black, Glasses: Y

I certify that I am over the age of 18, of sound mind, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was delivered. The facts stated in this affidavit are within my personal knowledge and are true and correct.

Subscribed and Sworn to before me on the 28th day of July, 2017 by the affiant, who is personally known to me.

NOTARY PUBLIC

Dane R. Cuppett  
SCH-7114, Exp. 10/31/19

Allen Civil Process  
P.O. Box 181293  
Corpus Christi, TX 78480  
(800) 831-8219

Our Job Serial Number: ALN-2017004030  
Ref: John Ochoa

EXHIBIT

A-2

PRIVATE PROCESS

Case Number: 2017-CI-10535

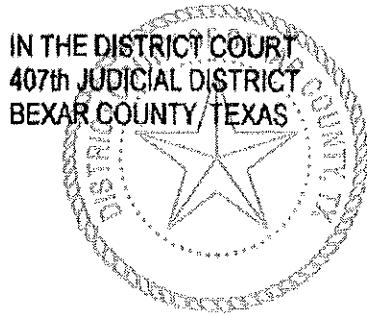
2017CI10535 S00001

JOHN OCHOA ET AL

VS.

P A M TRANSPORT INC ET AL

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT  
407th JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS

## CITATION

"THE STATE OF TEXAS"

Directed To: P.A.M. TRANSPORT INC  
BY SERVING TEXAS SECRETARY OF STATE

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Said ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE was filed on the 8th day of June, 2017.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 15TH DAY OF JUNE A.D., 2017.

JAMES F MARTIN  
ATTORNEY FOR PLAINTIFF  
521 STARR ST  
CORP CHRISTI, TX 78401-2344



Donna Kay McKinney  
Bexar County District Clerk  
101 W. Nueva, Suite 217  
San Antonio, Texas 78205

By: *Maria J. Abilez*, Deputy

JOHN OCHOA ET AL

VS

P A M TRANSPORT INC ET AL

## Officer's Return

Case Number: 2017-CI-10535  
Court: 407th Judicial District Court

I received this CITATION on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock M. and( ) executed it by delivering a copy of the CITATION with attached ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE on the date of delivery endorsed on it to \_\_\_\_\_ in person on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ o'clock M. at \_\_\_\_\_ or ( ) not executed because \_\_\_\_\_

Fees: \_\_\_\_\_ Badge/PPS #: \_\_\_\_\_ Date certification expires: \_\_\_\_\_

County, Texas

By: \_\_\_\_\_

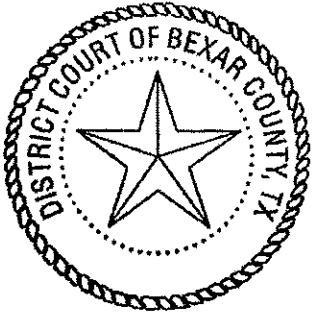
OR: VERIFICATION OF RETURN (If not served by a peace officer) SWEAR TO THIS \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_, County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CERTIFIED COPY CERTIFICATE STATE OF TEXAS  
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT  
CLERK, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
RECORD NOW IN MY LAWFUL CUSTODY. WITNESS  
MY OFFICIAL HAND AND SEAL OF OFFICE ON THIS:



*August 14, 2017*

**DONNA KAY MCKINNEY**  
**BEXAR COUNTY, TEXAS**

By: Roxanne Araiza

ROXANNE ARAIZA, Deputy District Clerk

*(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)*

8/1/2017 10:09 AM

Donna Kay McKinney

Bexar County District Clerk

Accepted By: Isaias Ibarra

**AFFIDAVIT OF SERVICE****State of Texas****County of Bexar****407th District Court**

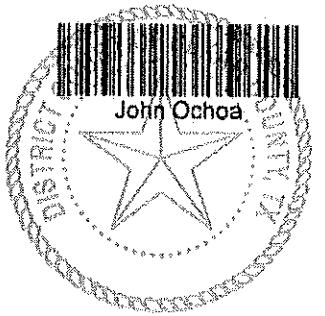
Case Number: 2017-CI-10535

Plaintiff:

**JOHN OCHOA AND ROSE ELIZARDO-OCHOA**

vs.

Defendant:

**P.A.M. TRANSPORT INC, P.A.M. LOGISTICS SERVICES INC, P.A.M.  
TRANSPORTATION SERVICES INC, P.A.M. TRANSPORT CORP., AND ADEN KARIYE  
AKA ADEN MOHAMED**

For:

James F Martin  
 Law Office Of Thomas J Henry  
 521 Starr Street  
 Corpus Christi, TX 78401

Received by Allen Civil Process on the 27th day of July, 2017 at 1:43 pm to be served on P.A.M. Logistics Services Inc by delivering to Texas Secretary Of State, 1019 Brazos, Austin, Travis County, TX 78701.

I, Dane R. Cuppett, being duly sworn, depose and say that on the 28th day of July, 2017 at 2:15 pm, I:

served a **GOVERNMENT AGENCY** by delivering a true copy of the **Citation and Plaintiffs Original Petition and Request For Disclosure and \$55.00 Check For Secretary Of State** with the date and hour of service endorsed thereon by me, to: **Venita Moss, Office of the Texas Secretary Of State as Authorized Agent for P.A.M. Logistics Services Inc** by delivering to **Texas Secretary Of State**, and informed said person of the contents therein, in compliance with State Statutes.

**Description of Person Served:** Age: 50, Sex: F, Race/Skin Color: AfricanAmerica, Height: 5'8", Weight: 250, Hair: Black, Glasses: Y

I certify that I am over the age of 18, of sound mind, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was delivered. The facts stated in this affidavit are within my personal knowledge and are true and correct.

Subscribed and Sworn to before me on the 28th day of July, 2017 by the affiant who is personally known to me.

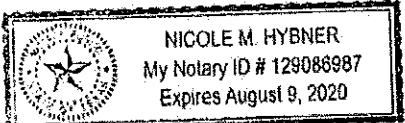
NOTARY PUBLIC



Dane R. Cuppett  
 SCH-7114, Exp. 10/31/19

Allen Civil Process  
 P.O. Box 181293  
 Corpus Christi, TX 78480  
 (800) 831-8219

Our Job Serial Number: ALN-2017004029  
 Ref: John Ochoa



PRIVATE PROCESS

Case Number: 2017-CI-10535

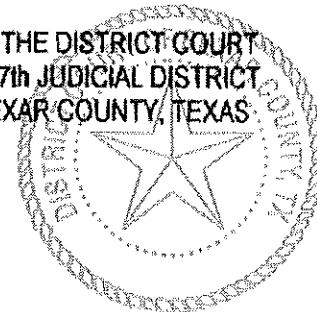
2017CI10535 S00002

JOHN OCHOA ET AL

VS.

P A M TRANSPORT INC ET AL

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT  
407th JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS

## CITATION

'THE STATE OF TEXAS'

Directed To: P.A.M LOGISTICS SERVICES INC  
BY SERVING TEXAS SECRETARY OF STATE

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Said ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE was filed on the 8th day of June, 2017.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 15TH DAY OF JUNE A.D., 2017.

JAMES F MARTIN  
ATTORNEY FOR PLAINTIFF  
521 STARR ST  
CORP CHRISTI, TX 78401-2344



Donna Kay McKinney  
Bexar County District Clerk  
101 W. Nueva, Suite 217  
San Antonio, Texas 78205

By: *Maria J Abilez, Deputy*

JOHN OCHOA ET AL  
VS  
P A M TRANSPORT INC ET AL

## Officer's Return

Case Number: 2017-CI-10535  
Court: 407th Judicial District Court

I received this CITATION on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. and: ( ) executed it by delivering a copy of the CITATION with attached ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE on the date of delivery endorsed on it to \_\_\_\_\_, in person on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. at \_\_\_\_\_ or ( ) not executed because \_\_\_\_\_

Fees: \_\_\_\_\_ Badge/PPS #: \_\_\_\_\_ Date certification expires: \_\_\_\_\_

County, Texas

By: \_\_\_\_\_

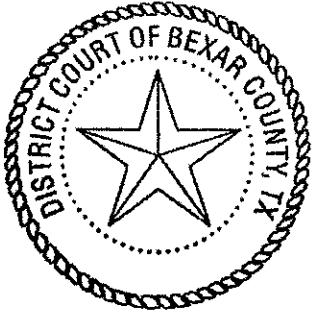
OR: VERIFICATION OF RETURN (If not served by a peace officer) SWEAR TO THIS \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_, \_\_\_\_\_ County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CERTIFIED COPY CERTIFICATE STATE OF TEXAS  
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT  
CLERK, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
RECORD NOW IN MY LAWFUL CUSTODY. WITNESS  
MY OFFICIAL HAND AND SEAL OF OFFICE ON THIS:



*August 14, 2017*

**DONNA KAY MCKINNEY**  
**BEXAR COUNTY, TEXAS**

By: Roxanne Araiza

ROXANNE ARAIZA, Deputy District Clerk

*(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)*

8/1/2017 10:10 AM

Donna Kay McKinney

Bexar County District Clerk

Accepted By: Isaias Ibarra

**AFFIDAVIT OF SERVICE****State of Texas****County of Bexar****407th District Court**

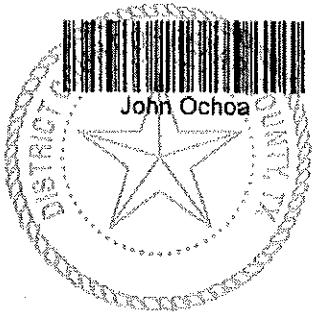
Case Number: 2017-CI-10535

Plaintiff:

**JOHN OCHOA AND ROSE ELIZARDO-OCHOA**

vs.

Defendant:

**P.A.M. TRANSPORT INC, P.A.M. LOGISTICS SERVICES INC, P.A.M.  
TRANSPORTATION SERVICES INC, P.A.M. TRANSPORT CORP., AND ADEN KARIYE  
AKA ADEN MOHAMED**

For:

James F Martin  
 Law Office Of Thomas J Henry  
 521 Starr Street  
 Corpus Christi, TX 78401

Received by Allen Civil Process on the 27th day of July, 2017 at 1:53 pm to be served on P.A.M. Transport Services Inc by delivering to Texas Secretary Of State, 1019 Brazos, Austin, Travis County, TX 78701.

I, Dane R. Cuppett, being duly sworn, depose and say that on the 27th day of July, 2017 at 2:15 pm, I:

served a **GOVERNMENT AGENCY** by delivering a true copy of the **Two Copies of Citation and Plaintiffs Original Petition and Request For Disclosure and \$55.00 Check For Secretary Of State** with the date and hour of service endorsed thereon by me, to: Venita Moss, Office of the Texas Secretary Of State as **Authorized Agent** for P.A.M. Transport Services Inc by delivering to Texas Secretary Of State, and informed said person of the contents therein, in compliance with State Statutes.

**Description of Person Served:** Age: 50, Sex: F, Race/Skin Color: AfricanAmerica, Height: 5'8", Weight: 250, Hair: Black, Glasses: Y

I certify that I am over the age of 18, of sound mind, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was delivered. The facts stated in this affidavit are within my personal knowledge and are true and correct.

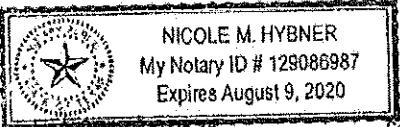
Subscribed and Sworn to before me on the 28th day of July, 2017 by the affiant who is personally known to me.

NOTARY PUBLIC

Dane R. Cuppett  
 SCH-7114, Exp. 10/31/19

Allen Civil Process  
 P.O. Box 181293  
 Corpus Christi, TX 78480  
 (800) 831-8219

Our Job Serial Number: ALN-2017004031  
 Ref: John Ochoa



Case Number: 2017-CI-10535

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Page 1 of 3

**EXHIBIT****A-4**

PRIVATE PROCESS

Case Number: 2017-CI-10535

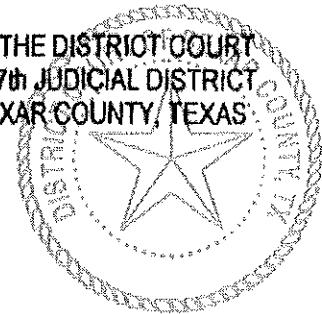
2017CI10535 S600083

JOHN OCHOA ET AL

VS.

P A M TRANSPORT INC ET AL

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT  
407th JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS

## CITATION

"THE STATE OF TEXAS"

Directed To: P.A.M. TRANSPORTATION SERVICES INC  
BY SERVING TEXAS SECRETARY OF STATE

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Said ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE was filed on the 8th day of June, 2017.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 15TH DAY OF JUNE A.D., 2017.

JAMES F MARTIN  
ATTORNEY FOR PLAINTIFF  
521 STARR ST  
CORP CHRISTI, TX 78401-2344



Donna Kay McKinney  
Bexar County District Clerk  
101 W. Nueva, Suite 217  
San Antonio, Texas 78205

By: *Maria J. Abilez*, Deputy

JOHN OCHOA ET AL  
VS  
P A M TRANSPORT INC ET AL

## Officer's Return

Case Number: 2017-CI-10535  
Court: 407th Judicial District Court

I received this CITATION on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M and ( ) executed it by delivering a copy of the CITATION with attached ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE on the date of delivery endorsed on it to \_\_\_\_\_, in person on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M at \_\_\_\_\_ or ( ) not executed because \_\_\_\_\_

Fees: \_\_\_\_\_ Badge/PPS #: \_\_\_\_\_ Date certification expires: \_\_\_\_\_

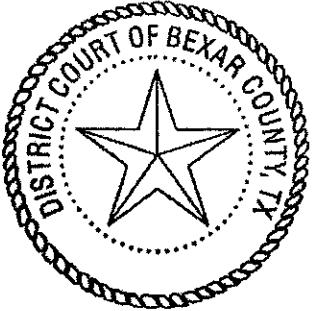
County, Texas  
By: \_\_\_\_\_

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWEORN TO THIS \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_  
County, \_\_\_\_\_I declare under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of Texas, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CERTIFIED COPY CERTIFICATE STATE OF TEXAS  
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT  
CLERK, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
RECORD NOW IN MY LAWFUL CUSTODY. WITNESS  
MY OFFICIAL HAND AND SEAL OF OFFICE ON THIS:



*August 14, 2017*

**DONNA KAY MCKINNEY**  
**BEXAR COUNTY, TEXAS**

By: Roxanne Araiza

ROXANNE ARAIZA, Deputy District Clerk

*(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)*

8/2/2017 3:34 PM

Donna Kay McKinney  
Bexar County District Clerk  
Accepted By: Isaias Ibarra

PRIVATE PROCESS

Case Number: 2017-CI-10535

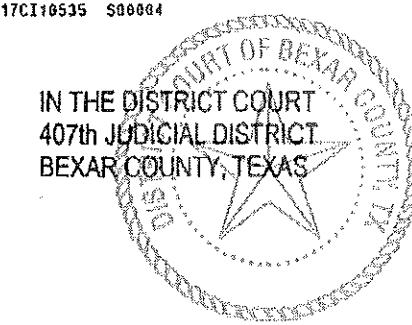
2017CI10535 S00004

JOHN OCHOA ET AL

VS.

P A M TRANSPORT INC ET AL

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT  
407th JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS

## CITATION

"THE STATE OF TEXAS"

Directed To: P.A.M. TRANSPORT CORP

BY SERVING ITS REGISTERED AGENT, LUIS NUNEZ

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE, a default judgment may be taken against you." Said ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE was filed on the 8th day of June, 2017.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 15TH DAY OF JUNE A.D., 2017.

JAMES F MARTIN  
ATTORNEY FOR PLAINTIFF  
521 STARR ST  
CORP CHRISTI, TX 78401-2344



Donna Kay McKinney  
Bexar County District Clerk  
101 W. Nueva, Suite 217  
San Antonio, Texas 78205

By: Maria J Abilez, Deputy

JOHN OCHOA ET AL

VS

P A M TRANSPORT INC ET AL

I received this CITATION on the 29<sup>th</sup> day of July, 2017 at 12 o'clock PM and (  ) executed it by delivering a copy of the CITATION with attached ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE on the date of delivery endorsed on it to P.A.M. Transport Corp registered Agent; Luis Nunez in person on the 1st day of August, 2017 at 2:05 o'clock PM at 12235 Pecan Corp Dr #8, El Paso, Texas 79956 or (  ) not executed because

## Officer's Return

Case Number: 2017-CI-10535

Court: 407th Judicial District Court

Fees: \_\_\_\_\_ Badge/PPS #: \_\_\_\_\_ Date certification expires: \_\_\_\_\_

El Paso  
By: Isaias Ibarra \_\_\_\_\_  
County, Texas

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWEAR TO THIS \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is Donna Kay McKinney, my date of birth is 5-3-71, and my address is 420 E. San Antonio 2nd Floor El Paso, Tx 79902 County, El Paso

I declare under penalty of perjury that the foregoing is true and correct. Executed in the 1st day of August, 2017.

El Paso County, State of Texas, on 11/06/08  
exp 10-31-15

Case Number: 2017CI10535

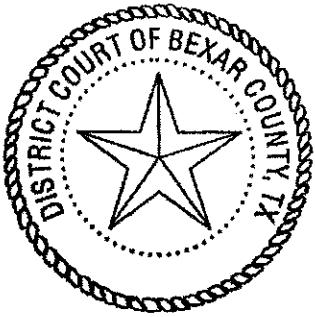
Document Type: CITATION

RETURN TO COURT Page 10892 of 2

**EXHIBIT**  
**A-5**

Case Number: 2017C10535

CERTIFIED COPY CERTIFICATE STATE OF TEXAS  
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT  
CLERK, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL  
RECORD NOW IN MY LAWFUL CUSTODY. WITNESS  
MY OFFICIAL HAND AND SEAL OF OFFICE ON THIS:



*August 14, 2017*

**DONNA KAY MCKINNEY  
BEXAR COUNTY, TEXAS**

By: Roxanne Araiza

ROXANNE ARAIZA, Deputy District Clerk

*(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)*

Document Type: CITATION

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOHN OCHOA AND  
ROSE ELIZARDO-OCHOA

v.

P.A.M. TRANSPORT, INC., P.A.M.  
LOGISTICS SERVICES, INC., P.A.M.  
TRANSPORTATION SERVICES, INC.,  
P.A.M. TRANSPORT CORP., AND  
ADEN KARIYE A/K/A ADEN MOHAMED

§ C. A. No. \_\_\_\_\_

§ JURY DEMANDED

---

**AFFIDAVIT OF ANGELA CLARK**

---

STATE OF ARKANSAS §

COUNTY OF WASHINGTON §

BEFORE ME, the undersigned authority, on this date personally appeared Angela Clark, who being by me first duly sworn, did depose on his oath and state as follows:

1. "My name is Angela Clark. I am over the age of twenty-one years of age, of sound mind, and am in all ways competent to make this affidavit. I have never been convicted of a crime. The facts stated herein are based upon my personal knowledge and are true and correct.
2. "I, Angela Clark, am the Associate Vice President for Risk Management of P.A.M. Transportation Services, Inc. and I am fully familiar with all the facts, circumstances and proceedings in this matter to date. As Associate Vice President for Risk Management, I am familiar with its corporate status and the corporate status of all companies related to or affiliated with P.A.M. Transportation Services, Inc. and have first-hand knowledge about about such matters.
3. "No entity bearing the name "P.A.M. Transport Corp." or the name "PAM Transport Corp." currently exists in connection with P.A.M. Transportation Services, Inc., P.A.M. Transport, Inc. or P.A.M. Logistics Services, Inc.
4. "P.A.M. Transportation Services, Inc. does not wholly or partially own the company named PAM Transport Corp. organized under the laws of Texas, whose President and Director is Luis Nunez ("hereafter referred to as "PAM Transport Corp") and whose registered office is located in El Paso, Texas.

**EXHIBIT**  
**A-6**

5. "P.A.M. Transportation Services, Inc. has no contractual relationship or any other form of affiliation whatsoever with PAM Transport Corp., its President, Luis Nunez, or its drivers or other officers, agents or employees."
6. "P.A.M. Transport, Inc. does not wholly or partially own PAM Transport Corp."
7. "P.A.M. Transport, Inc. has no contractual relationship or any other form of affiliation whatsoever with PAM Transport Corp., its President, Luis Nunez, or its drivers or other officers, agents or employees."
8. "P.A.M. Logistics Services, Inc. does not wholly or partially own PAM Transport Corp."
9. "P.A.M. Logistics Services, Inc. has no contractual relationship or any other form of affiliation whatsoever with PAM Transport Corp., its President, Luis Nunez, or its drivers or other officers, agents or employees."
10. "Neither PAM Transport Corp., nor any of its officers, agents or employees were involved in any manner in the operation of the truck that was involved in the accident from which this action has arisen or the carriage of the cargo that was carried by that truck."

Further, affiant sayeth not.



Angela Clark, Associate Vice President for Risk Management of P.A.M. Transportation Services, Inc.

SUBSCRIBED and SWORN TO before me, by the said Angela Clark, on this the 18<sup>th</sup> day of AUGUST, 2017, to certify which witness my hand and seal of office.



Dustin Mixon

Notary Public in and for  
the State of Arkansas